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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,479	10/08/2001	Peter Hartmaier	51410/P001CP1C1CP1/101053	5315

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EXAMINER	
ZEWDU, MELESS NMN	

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/973,479	HARTMAIER ET AL.	
	Examiner	Art Unit	
	Meless N. Zewdu	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *20-24 and 26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *20,22,23 and 26* is/are rejected.

7)☐ Claim(s) *21 and 24* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 10/14/05.

2. Claims 2024 and 26are pending in this action.

3. This action is final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 20-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huotari et al. (Huotari) (WO 96/13949) in view of Smyk (US 6,161,128).

As per claim 26: an information system for a wireless network comprising:

a wireless gateway coupled to said wireless network reads on '949 (see fig. 1; abstract; page 8, lines 15-18) and capable of receiving digits request triggers from said wireless network reads on '949 (see fig. 3; page 6, lines 3-17), wherein the digits request trigger is a signaling message that is associated with a call set-up process (see abstract, lines 17-21) the digits request trigger comprising dialed digits or a feature code reads on '949 (see page 6, line 18-page 7, line 13; page 10, lines 11-35), whereby a

telecommunications network attempts to establish a call connection between a user that initiates the digits request trigger and a called number associated said dialed digits of feature code reads on '949 (see abstract; page 5, line 22-page 6, line 35; col. 15, line 1-page 16, line 4).

means for correlating digits request triggers to requested information reads on '949 (see page 6, lines 3-17).

means for retrieving said digits requested information reads on '949 (see page 16, lines 5-34).

means for sending said requested information to subscribers on said wireless network reads on '949 (see page 9, line 20-page 10, line 10). "The mobile subscriber's --- which points to one or more service triggers" (abstract) indicates the presence of retrievable data associated with the triggers. But, Huotari does not explicitly teach about a wireless web information services gateway coupled to said wireless network, and means for sending said requested information to subscribers, as claimed by applicant. However, in a related field of endeavor, Smyk teaches that intelligent network services can be accessed via the internet by providing a gateway between a provider's W W W home page and AIN services and databases (see entire document, particularly, col. 3, line 45-col. 4, line 63; col. 5, line 48-col. 6, line 36), which enables subscribers to exchange large amount of data between subscribers and the network (see col. 3, lines 20-34). Smyk, as described in the cited sections above, also asserts that the internet based service control system allows/provides interface to a wireless personal assistant, or any other type of device used to access the internet, which is a wired net work

system and outside of a wireless network. On the other hand Huotari's wireless network integrates wireless and fixed networks to provide mobile stations intelligent network services (see figs. 1-5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Huotari with that of Smyk for the advantage of enabling subscribers gain access to the internet and to the service control channel using traditional internet access methods (see col. 3, lines 53-63).

As per claim 20: the features of claim 20 are similar to the features of claim 26, except one difference and claim 20 is a method claim which would have to carryout the steps followed by the network of claim 26. Hence, claim 20 is rejected on the same ground and motivation as claim 26. With respect to the difference feature, Symk teaches --- sending a retrieved information to a communication device for display to a user (see col. 2, line 64-col. 3, line 3; col. 5, lines 48-62). The wireless personal assistant includes a display device. When the references are combined as shown above, a wireless personal assistant device, with a browser/display, can access the internet, as taught by Smyk.

As per claim 22: most of the features of claim 22 are similar to the features of claim 26, except -- sending said retrieved information to said communication devices for display to said users --, which is taught by Smyk, as discussed in the rejection of claim 20. Hence, claim 22 is rejected on the same ground and motivation as claim 26, while the difference feature (the display feature) is rejected on the same ground and motivation as claim 20.

As per claim 23: the feature of claim 23 is similar to the feature of claim 21. Hence, claim 23 is rejected on the same ground and motivation as claim 21.

Allowable Subject Matter

Claims 21 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The objection of claim 24 is hinged upon claim 23.

Response to Arguments

Applicant's arguments filed on 10/14/05 have been fully considered but they are not persuasive. Applicant's arguments and responses by examiner appear below.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Houtari's method for activating intelligent services in a mobile communication system provides mobile users trigger based service in the intelligent network. But, the reference lacks (or

doesn't show) connection to the internet. On the other hand, Smyk teaches that an intelligent network can be connected to the internet and provide trigger based service to any device capable of accessing the internet, including wireless devices like PDA) (see col. 5, lines 48-62). In short, Houtar's reference is wireless based intelligent network, while Smyk's reference is internet based intelligent network. Hence, the two references are related, therefore, combinable, as both of them are intelligent networks and provide access/service to devices, including wireless ones. Regarding the issue of motivation, one of ordinary skill in the art with prior knowledge of Houtari's wireless intelligent network (lacking internet access by conventional access devices) would have been motivated by Smyk's reference to provide subscribers with access to the internet. Hence, the argument, based on lack of motivation for combining the references discussed above, is not found convincing. Regarding other arguments:

Argument I: with regard to claim 26, applicant argues by saying Houtari's service trigger is transmitted during an existing call.

Response I: examiner respectfully disagrees with the argument. Houtari's reference teaches "the mobile service switching center obtain the trigger key of the mobile subscriber during the call setup (see abstract, lines 17-21); which means a mobile subscriber sends a call setup request to the MSC, which in turn extracts the mobile service triggering key from the call setup signal. This shows the service trigger is extracted/obtained during call setup, but not during an on going call, as argued by applicant. Hence, the argument is moot.

Argument II: with regard to claim 26, applicant further argues by saying "the "means for sending said requested information to subscribers on said wireless network" is not taught or suggested by the references applied.

Response II: examiner respectfully disagrees the argument. In that, Houtari, although arguably, does not clearly show the feature in question. But, as shown/discussed in the now modified rejection, Smyk teaches the exchange of data among subscribers through the internet using an intelligent network. When the references are combined, the exchange of data will include the participation of subscribers in a wireless network. Hence, examiner did not find the argument convincing from this point of view.

Applicant further advances arguments relating to other claims. But, the arguments are not different from the ones provided relating to claim 26. Hence, regarding to arguments relating to other claims, examiner would like to refer applicant to the responses provided to arguments relating to claim 26.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu M. Z.

Examiner

16 December 2005.

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600